

Milman & Heidecker
Attorneys at Law
3000 Marcus Avenue
Suite 3W3
Lake Success, New York 11042

Telephone (516) 328-8899
Facsimile (516) 328-0082

Lawrence I. Milman
Perry S. Heidecker
Robert F. Milman
Richard I. Milman
Joseph M. Labuda*

Michael J. Mauro
Jamie S. Felsen

* Also Admitted In NJ

Via Fax (212) 805.0426 and ECF

Author's Direct E-Mail Address:
joelabuda@mhlaborlaw.com

Direct Dial:
(516) 303-1380

August 28, 2007

The Honorable Laura Taylor Swain
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: 251 West 36th Street LLC v. Fishman
Docket No. 07 CV 5860 (LTS) (AJP)
Our File No.: 69-07

Dear Judge Swain:

This law firm represents the Plaintiff in the above referenced matter.

Please be advised that the parties have agreed to settle this matter in principle. However, due to vacation schedules, we do not anticipate executing the settlement agreement and filing the stipulation of dismissal until Friday, September 7, 2007.

Please contact me if you have any questions.

Respectfully Submitted,

MILMAN & HEIDECKER

/s/

Joseph M. Labuda (JL-5213)

JML:cdk

cc: Andrew L. Strom, Esq. – via fax (212) 388-2062